

171.7

ARTICLE 10

171.8

EVIDENCE GATHERING AND REPORTING

171.9 Section 1. Minnesota Statutes 2022, section 13A.02, subdivision 1, is amended to read:

171.10 Subdivision 1. **Access by government.** Except as authorized by this chapter, no
171.11 government authority may have access to, or obtain copies of, or the information contained
171.12 in, the financial records of any customer from a financial institution unless the financial
171.13 records are reasonably described and:

171.14 (1) the customer has authorized the disclosure;

171.15 (2) the financial records are disclosed in response to a search warrant;

171.16 (3) the financial records are disclosed in response to a judicial or administrative subpoena;

171.17 (4) the financial records are disclosed to law enforcement, a lead investigative agency
171.18 as defined in section 626.5572, subdivision 13, or prosecuting authority that is investigating
171.19 financial exploitation of a vulnerable adult in response to a judicial subpoena or
171.20 administrative subpoena under section 388.23; or

171.21 (5) the financial records are disclosed pursuant to section 609.527 or 609.535 or other
171.22 statute or rule.

171.23 **EFFECTIVE DATE.** This section is effective August 1, 2023.

171.24 Sec. 2. Minnesota Statutes 2022, section 13A.02, subdivision 2, is amended to read:

171.25 Subd. 2. **Release prohibited.** No financial institution, or officer, employee, or agent of
171.26 a financial institution, may provide to any government authority access to, or copies of, or
171.27 the information contained in, the financial records of any customer except in accordance
171.28 with the provisions of this chapter.

172.1 Nothing in this chapter shall require a financial institution to inquire or determine that
172.2 those seeking disclosure have duly complied with the requirements of this chapter, provided
172.3 only that the customer authorization, search warrant, subpoena, or written certification
172.4 pursuant to section 609.527, subdivision 8; 609.535, subdivision 6; 626.557; or other statute
172.5 or rule, served on or delivered to a financial institution shows compliance on its face.

172.6 **EFFECTIVE DATE.** This section is effective August 1, 2023.

172.7 Sec. 3. Minnesota Statutes 2022, section 609.527, subdivision 1, is amended to read:

172.8 Subdivision 1. **Definitions.** (a) As used in this section, the following terms have the
172.9 meanings given them in this subdivision.

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42.1 Sec. 2. Minnesota Statutes 2022, section 13A.02, subdivision 1, is amended to read:

42.2 Subdivision 1. **Access by government.** Except as authorized by this chapter, no
42.3 government authority may have access to, or obtain copies of, or the information contained
42.4 in, the financial records of any customer from a financial institution unless the financial
42.5 records are reasonably described and:

42.6 (1) the customer has authorized the disclosure;

42.7 (2) the financial records are disclosed in response to a search warrant;

42.8 (3) the financial records are disclosed in response to a judicial or administrative subpoena;

42.9 (4) the financial records are disclosed to law enforcement, a lead investigative agency
42.10 as defined in section 626.5572, subdivision 13, or prosecuting authority that is investigating
42.11 financial exploitation of a vulnerable adult in response to a judicial subpoena or
42.12 administrative subpoena under section 388.23; or

42.13 (5) the financial records are disclosed pursuant to section 609.527 or 609.535 or other
42.14 statute or rule.

42.15 **EFFECTIVE DATE.** This section is effective August 1, 2023.

42.16 Sec. 3. Minnesota Statutes 2022, section 13A.02, subdivision 2, is amended to read:

42.17 Subd. 2. **Release prohibited.** No financial institution, or officer, employee, or agent of
42.18 a financial institution, may provide to any government authority access to, or copies of, or
42.19 the information contained in, the financial records of any customer except in accordance
42.20 with the provisions of this chapter.

42.21 Nothing in this chapter shall require a financial institution to inquire or determine that
42.22 those seeking disclosure have duly complied with the requirements of this chapter, provided
42.23 only that the customer authorization, search warrant, subpoena, or written certification
42.24 pursuant to section 609.527, subdivision 8; 609.535, subdivision 6; 626.557; or other statute
42.25 or rule, served on or delivered to a financial institution shows compliance on its face.

42.26 **EFFECTIVE DATE.** This section is effective August 1, 2023.

79.1 Sec. 40. Minnesota Statutes 2022, section 609.527, subdivision 1, is amended to read:

79.2 Subdivision 1. **Definitions.** (a) As used in this section, the following terms have the
79.3 meanings given them in this subdivision.

172.10 (b) "Direct victim" means any person or entity described in section 611A.01, paragraph
172.11 (b), whose identity has been transferred, used, or possessed in violation of this section.

172.12 (c) "False pretense" means any false, fictitious, misleading, or fraudulent information
172.13 or pretense or pretext depicting or including or deceptively similar to the name, logo, website
172.14 address, email address, postal address, telephone number, or any other identifying information
172.15 of a for-profit or not-for-profit business or organization or of a government agency, to which
172.16 the user has no legitimate claim of right.

172.17 (d) "Financial institution" has the meaning given in section 13A.01, subdivision 2.

172.18 (e) "Identity" means any name, number, or data transmission that may be used, alone or
172.19 in conjunction with any other information, to identify a specific individual or entity, including
172.20 any of the following:

172.21 (1) a name, Social Security number, date of birth, official government-issued driver's
172.22 license or identification number, government passport number, or employer or taxpayer
172.23 identification number;

172.24 (2) unique electronic identification number, address, account number, or routing code;
172.25 or

172.26 (3) telecommunication identification information or access device.

172.27 ~~(e)~~ (f) "Indirect victim" means any person or entity described in section 611A.01,
172.28 paragraph (b), other than a direct victim.

172.29 ~~(f)~~ (g) "Loss" means value obtained, as defined in section 609.52, subdivision 1, clause
172.30 (3), and expenses incurred by a direct or indirect victim as a result of a violation of this
172.31 section.

173.1 ~~(g)~~ (h) "Unlawful activity" means:

173.2 (1) any felony violation of the laws of this state or any felony violation of a similar law
173.3 of another state or the United States; and

173.4 (2) any nonfelony violation of the laws of this state involving theft, theft by swindle,
173.5 forgery, fraud, or giving false information to a public official, or any nonfelony violation
173.6 of a similar law of another state or the United States.

173.7 ~~(h)~~ (i) "Scanning device" means a scanner, reader, or any other electronic device that is
173.8 used to access, read, scan, obtain, memorize, or store, temporarily or permanently,
173.9 information encoded on a computer chip or magnetic strip or stripe of a payment card,
173.10 driver's license, or state-issued identification card.

173.11 ~~(i)~~ (j) "Reencoder" means an electronic device that places encoded information from the
173.12 computer chip or magnetic strip or stripe of a payment card, driver's license, or state-issued
173.13 identification card, onto the computer chip or magnetic strip or stripe of a different payment

79.4 (b) "Direct victim" means any person or entity described in section 611A.01, paragraph
79.5 (b), whose identity has been transferred, used, or possessed in violation of this section.

79.6 (c) "False pretense" means any false, fictitious, misleading, or fraudulent information
79.7 or pretense or pretext depicting or including or deceptively similar to the name, logo, website
79.8 address, email address, postal address, telephone number, or any other identifying information
79.9 of a for-profit or not-for-profit business or organization or of a government agency, to which
79.10 the user has no legitimate claim of right.

79.11 (d) "Financial institution" has the meaning given in section 13A.01, subdivision 2.

79.12 (e) "Identity" means any name, number, or data transmission that may be used, alone or
79.13 in conjunction with any other information, to identify a specific individual or entity, including
79.14 any of the following:

79.15 (1) a name, Social Security number, date of birth, official government-issued driver's
79.16 license or identification number, government passport number, or employer or taxpayer
79.17 identification number;

79.18 (2) unique electronic identification number, address, account number, or routing code;
79.19 or

79.20 (3) telecommunication identification information or access device.

79.21 ~~(e)~~ (f) "Indirect victim" means any person or entity described in section 611A.01,
79.22 paragraph (b), other than a direct victim.

79.23 ~~(f)~~ (g) "Loss" means value obtained, as defined in section 609.52, subdivision 1, clause
79.24 (3), and expenses incurred by a direct or indirect victim as a result of a violation of this
79.25 section.

79.26 ~~(g)~~ (h) "Unlawful activity" means:

79.27 (1) any felony violation of the laws of this state or any felony violation of a similar law
79.28 of another state or the United States; and

79.29 (2) any nonfelony violation of the laws of this state involving theft, theft by swindle,
79.30 forgery, fraud, or giving false information to a public official, or any nonfelony violation
79.31 of a similar law of another state or the United States.

80.1 ~~(h)~~ (i) "Scanning device" means a scanner, reader, or any other electronic device that is
80.2 used to access, read, scan, obtain, memorize, or store, temporarily or permanently,
80.3 information encoded on a computer chip or magnetic strip or stripe of a payment card,
80.4 driver's license, or state-issued identification card.

80.5 ~~(i)~~ (j) "Reencoder" means an electronic device that places encoded information from the
80.6 computer chip or magnetic strip or stripe of a payment card, driver's license, or state-issued
80.7 identification card, onto the computer chip or magnetic strip or stripe of a different payment

173.14 card, driver's license, or state-issued identification card, or any electronic medium that
173.15 allows an authorized transaction to occur.

173.16 ~~(j)~~ (k) "Payment card" means a credit card, charge card, debit card, or any other card
173.17 that:

173.18 (1) is issued to an authorized card user; and

173.19 (2) allows the user to obtain, purchase, or receive credit, money, a good, a service, or
173.20 anything of value.

173.21 **EFFECTIVE DATE.** This section is effective August 1, 2023.

173.22 Sec. 4. Minnesota Statutes 2022, section 609.527, is amended by adding a subdivision to
173.23 read:

173.24 Subd. 8. **Release of limited account information to law enforcement authorities.** (a)
173.25 A financial institution may release the information described in paragraph (b) to a law
173.26 enforcement or prosecuting authority that certifies in writing that it is investigating or
173.27 prosecuting a crime of identity theft under this section. The certification must describe with
173.28 reasonable specificity the nature of the suspected identity theft that is being investigated or
173.29 prosecuted, including the dates of the suspected criminal activity.

173.30 (b) This subdivision applies to requests for the following information relating to a
173.31 potential victim's account:

173.32 (1) the name of the account holder or holders; and

174.1 (2) the last known home address and telephone numbers of the account holder or holders.

174.2 (c) A financial institution may release the information requested under this subdivision
174.3 that it possesses within a reasonable time after the request. The financial institution may
174.4 not impose a fee for furnishing the information.

174.5 (d) A financial institution is not liable in a criminal or civil proceeding for releasing
174.6 information in accordance with this subdivision.

174.7 (e) Release of limited account information to a law enforcement agency under this
174.8 subdivision is criminal investigative data under section 13.82, subdivision 7, except that
174.9 when the investigation becomes inactive the account information remains confidential data
174.10 on individuals or protected nonpublic data.

174.11 **EFFECTIVE DATE.** This section is effective August 1, 2023.

174.12 Sec. 5. Minnesota Statutes 2022, section 626.14, subdivision 2, is amended to read:

174.13 Subd. 2. **Definition.** For the purposes of this section, "no-knock search warrant" means
174.14 a search warrant authorizing peace officers to enter ~~certain premises~~ a dwelling without
174.15 first knocking and loudly and understandably announcing the officer's presence or purpose
174.16 and waiting a reasonable amount of time thereafter prior to entering the ~~premises~~ dwelling

80.8 card, driver's license, or state-issued identification card, or any electronic medium that
80.9 allows an authorized transaction to occur.

80.10 ~~(j)~~ (k) "Payment card" means a credit card, charge card, debit card, or any other card
80.11 that:

80.12 (1) is issued to an authorized card user; and

80.13 (2) allows the user to obtain, purchase, or receive credit, money, a good, a service, or
80.14 anything of value.

80.15 **EFFECTIVE DATE.** This section is effective August 1, 2023.

80.16 Sec. 41. Minnesota Statutes 2022, section 609.527, is amended by adding a subdivision
80.17 to read:

80.18 Subd. 8. **Release of limited account information to law enforcement authorities.** (a)
80.19 A financial institution may release the information described in paragraph (b) to a law
80.20 enforcement or prosecuting authority that certifies in writing that it is investigating or
80.21 prosecuting a crime of identity theft under this section. The certification must describe with
80.22 reasonable specificity the nature of the suspected identity theft that is being investigated or
80.23 prosecuted, including the dates of the suspected criminal activity.

80.24 (b) This subdivision applies to requests for the following information relating to a
80.25 potential victim's account:

80.26 (1) the name of the account holder or holders; and

80.27 (2) the last known home address and telephone numbers of the account holder or holders.

80.28 (c) A financial institution may release the information requested under this subdivision
80.29 that it possesses within a reasonable time after the request. The financial institution may
80.30 not impose a fee for furnishing the information.

80.31 (d) A financial institution is not liable in a criminal or civil proceeding for releasing
80.32 information in accordance with this subdivision.

81.1 (e) Release of limited account information to a law enforcement agency under this
81.2 subdivision is criminal investigative data under section 13.82, subdivision 7.

81.3 **EFFECTIVE DATE.** This section is effective August 1, 2023.

174.17 to allow the subject to become alert and able to comply. No-knock search warrants may
174.18 also be referred to as dynamic entry warrants.

174.19 Sec. 6. Minnesota Statutes 2022, section 626.14, is amended by adding a subdivision to
174.20 read:

174.21 Subd. 2a. **No-knock search warrants.** A court may not issue or approve a no-knock
174.22 search warrant unless the judge concludes that specific, objective facts establish probable
174.23 cause to believe that:

174.24 (1) the dwelling will be occupied at all times;

174.25 (2) the search cannot be executed while the dwelling is unoccupied; and

174.26 (3) the occupant or occupants of the dwelling will present an immediate threat of death
174.27 or injury to the officers executing the warrant if the officers announce their presence or
174.28 purpose prior to entering the dwelling.

175.1 Sec. 7. Minnesota Statutes 2022, section 626.14, is amended by adding a subdivision to
175.2 read:

175.3 Subd. 2b. **Execution.** Unless otherwise authorized by the court under subdivision 2a, if
175.4 a peace officer enters a dwelling to serve or execute a search warrant without loudly and
175.5 understandably announcing the officer's presence or purpose and waiting a reasonable
175.6 amount of time thereafter prior to entering the dwelling, any evidence seized, discovered,
175.7 or obtained as a result of the entry must be suppressed and may not be used as evidence
175.8 unless exigent circumstances or another exception to the warrant requirement would justify
175.9 a warrantless entry.

175.10 Sec. 8. Minnesota Statutes 2022, section 626.14, subdivision 3, is amended to read:

175.11 Subd. 3. **Requirements for a no-knock search warrant.** (a) No peace officer shall
175.12 seek a no-knock search warrant unless the warrant application includes at a minimum:

175.13 (1) all documentation and materials the issuing court requires;

175.14 (2) the information specified in paragraph (b); and

175.15 (3) a sworn affidavit as provided in section 626.08.

175.16 (b) Each warrant application seeking a no-knock entry must include, in detailed terms,
175.17 the following:

175.18 (1) why peace officers are seeking the use of a no-knock entry and are unable to detain
175.19 the suspect or search the ~~residence~~ dwelling safely through the use of a knock and announce
175.20 warrant;

175.21 (2) what investigative activities have taken place to support issuance of the no-knock
175.22 search warrant, or why no investigative activity is needed or able to be performed; and

175.23 (3) whether the warrant can be effectively executed during daylight hours according to
175.24 subdivision 1.

175.25 (c) The chief law enforcement officer or designee and another superior officer must
175.26 review and approve each warrant application. The agency must document the approval of
175.27 both reviewing parties.

175.28 (d) A no-knock search warrant shall not be issued when the only crime alleged is
175.29 possession of a controlled substance unless there is probable cause to believe that the
175.30 controlled substance is for other than personal use.

176.1 Sec. 9. Minnesota Statutes 2022, section 626.15, is amended to read:

176.2 **626.15 EXECUTION AND RETURN OF WARRANT; TIME.**

176.3 (a) Except as provided in paragraph (b) (c), a search warrant must be executed and
176.4 returned to the court which issued it within ten days after its date. After the expiration of
176.5 this time, the warrant is void unless previously executed.

176.6 (b) A search warrant on a financial institution for financial records is valid for 30 days.

176.7 (c) A district court judge may grant an extension of a the warrant on a financial institution
176.8 for financial records upon an application under oath stating that the financial institution has
176.9 not produced the requested financial records within ten days the 30-day period and that an
176.10 extension is necessary to achieve the purposes for which the search warrant was granted.
176.11 Each extension may not exceed 30 days.

176.12 (d) For the purposes of this paragraph section, "financial institution" has the meaning
176.13 given in section 13A.01, subdivision 2, and "financial records" has the meaning given in
176.14 section 13A.01, subdivision 3.

176.15 **EFFECTIVE DATE.** This section is effective August 1, 2023.

176.16 Sec. 10. Minnesota Statutes 2022, section 626.21, is amended to read:

176.17 **626.21 RETURN OF PROPERTY AND SUPPRESSION OF EVIDENCE.**

176.18 (a) A person aggrieved by an unlawful search and seizure may move the district court
176.19 for the district in which the property was seized or the district court having jurisdiction of
176.20 the substantive offense for the return of the property and to suppress the use, as evidence,
176.21 of anything so obtained on the ground that:

176.22 (1) the property was illegally seized; ~~or;~~

176.23 (2) the property was illegally seized without warrant; ~~or;~~

176.24 (3) the warrant is insufficient on its face; ~~or;~~

176.25 (4) the property seized is not that described in the warrant; ~~or;~~

87.14 Sec. 52. Minnesota Statutes 2022, section 626.15, is amended to read:

87.15 **626.15 EXECUTION AND RETURN OF WARRANT; TIME.**

87.16 (a) Except as provided in paragraph paragraphs (b) and (c), a search warrant must be
87.17 executed and returned to the court which issued it within ten days after its date. After the
87.18 expiration of this time, the warrant is void unless previously executed.

87.19 (b) A search warrant on a financial institution for financial records is valid for 30 days.

87.20 (c) A district court judge may grant an extension of a warrant on a financial institution
87.21 for financial records upon an application under oath stating that the financial institution has
87.22 not produced the requested financial records within ten days the 30-day period and that an
87.23 extension is necessary to achieve the purposes for which the search warrant was granted.
87.24 Each extension may not exceed 30 days.

87.25 (d) For the purposes of this paragraph section, "financial institution" has the meaning
87.26 given in section 13A.01, subdivision 2, and "financial records" has the meaning given in
87.27 section 13A.01, subdivision 3.

87.28 **EFFECTIVE DATE.** This section is effective August 1, 2023.

176.26 (5) there was not probable cause for believing the existence of the grounds on which the
176.27 warrant was issued;~~or;~~

176.28 (6) the warrant was illegally executed;~~or;~~

176.29 (7) the warrant was improvidently issued; or

176.30 (8) the warrant was executed or served in violation of section 626.14.

177.1 (b) The judge shall receive evidence on any issue of fact necessary to the decision of
177.2 the motion. If the motion is granted the property shall be restored unless otherwise subject
177.3 to lawful detention, and it shall not be admissible in evidence at any hearing or trial. The
177.4 motion to suppress evidence may also be made in the district where the trial is to be had.
177.5 The motion shall be made before trial or hearing unless opportunity therefor did not exist
177.6 or the defendant was not aware of the grounds for the motion, but the court in its discretion
177.7 may entertain the motion at the trial or hearing.

177.8 Sec. 11. [626.5535] CARJACKING; REPORTING REQUIRED.

177.9 Subdivision 1. **Definition.** For purposes of this section, "carjacking" means taking a
177.10 motor vehicle from a person or in the presence of another while having knowledge of not
177.11 being entitled to the motor vehicle and using or threatening the imminent use of force against
177.12 any person to overcome the person's resistance or powers of resistance to, or to compel
177.13 acquiescence in, the taking of the motor vehicle.

177.14 Subd. 2. **Use of information collected.** (a) The head of a local law enforcement agency
177.15 or state law enforcement department that employs peace officers, as defined in section
177.16 626.84, subdivision 1, paragraph (c), must forward the following carjacking information
177.17 from the agency's or department's jurisdiction for the previous year to the commissioner of
177.18 public safety by January 15 each year:

177.19 (1) the number of carjacking attempts;

177.20 (2) the number of carjackings;

177.21 (3) the ages of the offenders;

177.22 (4) the number of persons injured in each offense;

177.23 (5) the number of persons killed in each offense; and

177.24 (6) weapons used in each offense, if any.

177.25 (b) The commissioner of public safety must include the data received under paragraph

177.26 (a) in a separate carjacking category in the department's annual uniform crime report.

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27.3 Section 1. [626.5535] CARJACKING; REPORTING REQUIRED.

27.4 Subdivision 1. **Definition.** For purposes of this section, "carjacking" means a violation
27.5 of section 609.247.

27.6 Subd. 2. **Use of information collected.** (a) The head of a local law enforcement agency
27.7 or state law enforcement department that employs peace officers, as defined in section
27.8 626.84, subdivision 1, paragraph (c), must forward the following carjacking information
27.9 from the agency's or department's jurisdiction to the commissioner of public safety at least
27.10 quarterly each year:

27.11 (1) the number of carjacking attempts;

27.12 (2) the number of carjackings;

27.13 (3) the number of persons injured in each offense;

27.14 (4) the number of persons killed in each offense; and

27.15 (5) weapons used in each offense, if any.

27.16 (b) The commissioner of public safety must include the data received under paragraph

27.17 (a) in a separate carjacking category in the department's annual uniform crime report.

177.27 Sec. 12. Minnesota Statutes 2022, section 626A.35, is amended by adding a subdivision
177.28 to read:

177.29 Subd. 2b. **Exception; stolen motor vehicles.** (a) The prohibition under subdivision 1
177.30 does not apply to the use of a mobile tracking device on a stolen motor vehicle when:

177.31 (1) the consent of the owner of the vehicle has been obtained; or

178.1 (2) the owner of the motor vehicle has reported to law enforcement that the vehicle is
178.2 stolen, and the vehicle is occupied when the tracking device is installed.

178.3 (b) Within 24 hours of a tracking device being attached to a vehicle pursuant to the
178.4 authority granted in paragraph (a), clause (2), an officer employed by the agency that attached
178.5 the tracking device to the vehicle must remove the device, disable the device, or obtain a
178.6 search warrant granting approval to continue to use the device in the investigation.

178.7 (c) A peace officer employed by the agency that attached a tracking device to a stolen
178.8 motor vehicle must remove the tracking device if the vehicle is recovered and returned to
178.9 the owner.

178.10 (d) Any tracking device evidence collected after the motor vehicle is returned to the
178.11 owner is inadmissible.

178.12 (e) By August 1, 2024, and each year thereafter, the chief law enforcement officer of an
178.13 agency that obtains a search warrant under paragraph (b) must provide notice to the
178.14 superintendent of the Bureau of Criminal Apprehension of the number of search warrants
178.15 the agency obtained under this subdivision in the preceding 12 months. The superintendent
178.16 must provide a summary of the data received pursuant to this paragraph in the bureau's
178.17 biennial report to the legislature required under section 299C.18.

178.18 **EFFECTIVE DATE.** This section is effective the day following final enactment.

35.1 Sec. 17. Minnesota Statutes 2022, section 626A.35, is amended by adding a subdivision
35.2 to read:

35.3 Subd. 2b. **Exception; stolen motor vehicles.** (a) The prohibition under subdivision 1
35.4 does not apply to the use of a mobile tracking device on a stolen motor vehicle when:

35.5 (1) the consent of the owner of the vehicle has been obtained; or

35.6 (2) the owner of the motor vehicle has reported to law enforcement that the vehicle is
35.7 stolen, and the vehicle is occupied when the tracking device is installed.

35.8 (b) Within 24 hours of a tracking device being attached to a vehicle pursuant to the
35.9 authority granted in paragraph (a), clause (2), an officer employed by the agency that attached
35.10 the tracking device to the vehicle must remove the device, disable the device, or obtain a
35.11 search warrant granting approval to continue to use the device in the investigation.

35.12 (c) A peace officer employed by the agency that attached a tracking device to a stolen
35.13 motor vehicle must remove the tracking device if the vehicle is recovered and returned to
35.14 the owner.

35.15 (d) Any tracking device evidence collected after the motor vehicle is returned to the
35.16 owner is inadmissible.

35.17 (e) By August 1, 2024, and each year thereafter, the chief law enforcement officer of an
35.18 agency that obtains a search warrant under paragraph (b) must provide notice to the
35.19 superintendent of the Bureau of Criminal Apprehension of the number of search warrants
35.20 the agency obtained under this subdivision in the preceding 12 months. The superintendent
35.21 must provide a summary of the data received pursuant to this paragraph in the bureau's
35.22 biennial report to the legislature required under section 299C.18.

35.23 **EFFECTIVE DATE.** This section is effective the day following final enactment.